

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

BRIAN LYNGAAS, D.D.S.,	)	
individually and as the representative	)	Case No. 17-cv-10910
of a class of similarly-situated	)	
persons,	)	Hon. Mark A. Goldsmith
	)	
Plaintiff,	)	
	)	
vs.	)	CLASS ACTION
	)	
CURADEN AG, et al.,	)	
	)	
Defendants.	)	

**CURADEN USA, INC.’S NOTICE OF APPEAL TO THE UNITED STATES  
COURT OF APPEALS FOR THE SIXTH CIRCUIT<sup>1</sup>**

/s/ Brian S. Sullivan  
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Brian S. Sullivan, Esq.  
DINSMORE & SHOHL LLP  
255 East Fifth Street, Suite 1900  
Cincinnati, Ohio 45202  
Phone: 513-977-8200  
Fax: 513-977-8141  
[brian.sullivan@dinsmore.com](mailto:brian.sullivan@dinsmore.com)

*Counsel for Defendant Curaden USA, Inc.*

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<sup>1</sup> LOCAL RULE CERTIFICATION: I, Brian S. Sullivan, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for nonproportional fonts) or 14 points (for proportional fonts). I also certify that it is appropriate length. Local Rule 7.1(d)(3).

NOTICE IS HEREBY GIVEN that Defendant Curaden USA, Inc. hereby appeals to the United States Court of Appeals for the Sixth Circuit from the District Court for the Eastern District of Michigan's May 23, 2019 Opinion and Order (1) Granting In Part and Denying In Part Curaden AG's Motion for Summary Judgment; (2) Denying Plaintiff's Motion for Summary Judgment; (3) Granting Plaintiff's Motion to Certify Class; (4) Denying Without Prejudice Defendants' Motion to Exclude Plaintiff's Expert Witness; and (5) Denying Plaintiff's Motion to Postpone Ruling on Plaintiff's Motion for Summary Judgment (ECF No. 89), the November 21, 2019 Opinion and Order Containing Findings of Fact and Conclusions of Law (ECF No. 129), the Opinion and Order Granting in Part Plaintiff's Motion for Entry of Judgment (ECF No. 145), and the Final Judgment (ECF No. 146).

Respectfully submitted,

/s/ Brian S. Sullivan

Brian S. Sullivan, Esq.  
DINSMORE & SHOHL LLP  
255 East Fifth Street, Suite 1900  
Cincinnati, Ohio 45202  
Phone: 513-977-8200  
Fax: 513-977-8141  
[brian.sullivan@dinsmore.com](mailto:brian.sullivan@dinsmore.com)

***Counsel for Defendant Curaden USA, Inc.***

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via the Court's CM/ECF Electronic Filing System this 28th day of February, 2020, upon the following:

Richard Shenkan, Esq.  
SHENKAN INJURY LAWYERS, LLC  
6550 Lakeshore St.  
West Bloomfield, MI 48323  
[rshenkan@shenkanlaw.com](mailto:rshenkan@shenkanlaw.com)

Phillip A. Bock, Esq.  
Robert M. Hatch, Esq.  
David M. Oppenheim, Esq.  
Tod A. Lewis, Esq.  
BOCK, HATCH, LEWIS &  
OPPENHEIM, LLC  
134 N. La Salle Street, Suite 100  
Chicago, IL 60602  
[phil@classlawyers.com](mailto:phil@classlawyers.com)  
[robert@classlawyers.com](mailto:robert@classlawyers.com)  
[david@classlawyers.com](mailto:david@classlawyers.com)  
[tod@classlawyers.com](mailto:tod@classlawyers.com)

/s/ Brian S. Sullivan